

**SUBDIVISION &
ZONING AMENDMENT STAFF REPORT****Date: March 17, 2022****APPLICANT NAME**

Matthew Roberts

SUBDIVISION NAME

The Locale Subdivision, Phase Two

LOCATION

2100 North University Boulevard
(East side of North University Boulevard at the East terminus of Mickey Drive).

**CITY COUNCIL
DISTRICT**

Council District 1

PRESENT ZONING

R-1, Single-Family Residential District

PROPOSED ZONING

B-2, Neighborhood Business District

AREA OF PROPERTY

2 Lot/ 55.2± Acres

CONTEMPLATED USE

Subdivision Approval to create one (1) legal lot of record from an existing metes-and-bounds parcel; and Rezoning from R-1, Single-Family Residential District to B-2, Neighborhood Business District.

It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning is changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.

**ENGINEERING
COMMENTS**

Subdivision: FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer):

- A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- B. Add a graphic scale.
- C. National Wetlands Inventory (NWI) mapping, as shown on City of Mobile GIS information, indicates that there is potential for wetlands within the property or properties shown on this

plat. Show and label the delineated wetlands, or provide a note stating that the wetlands shown on this plat are scaled from the NWI data and have not been delineated.

- D. Check and revise PLAT NOTES #15 and #17 as they seem to be duplicates of PLAT NOTES #10 and #11.
- E. Revise PLAT NOTE #15 to read “As shown on the 1984 aerial photo (FLIGHT 21 - #67) LOTS 1 & 2 will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1 – NONE and LOT 2 – NONE.”
- F. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing.
- G. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.
- H. Provide a copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Engineering Dept. for review. No signatures are required on the drawing. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet.
- I. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet.

Rezoning: No comments.

TRAFFIC ENGINEERING

COMMENTS

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City’s Zoning Ordinance.

URBAN FORESTRY

COMMENTS

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.

FIRE DEPARTMENT

COMMENTS

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A

fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.

TIME SCHEDULE
FOR DEVELOPMENT

Approximately three to four months.

REMARKS

The applicant is requesting Subdivision Approval to create two (2) legal lots of record from one existing legal lot of record, and Rezoning from R-1, Single-Family Residential District to B-2, Neighborhood Business District for Lot 2 of the proposed subdivision.

The site has been given a Low Density Residential (LDR) land use designation, per the adopted Future Land Use Plan and Map. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting.

Low Density Residential land use designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation on the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, the zoning classification.

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

The site was the subject of The Locale Subdivision, approved by the Commission at its September 16, 2021 meeting as a one-lot subdivision. It should be noted that the Final Plat was signed by Planning and Zoning and the plat was recorded in Probate Court, but the required five copies of the recorded plat were not submitted to Planning and Zoning. Therefore, should the subdivision application at hand be approved, the Final Plat should not be signed until five copies of the recorded plat for The Locale Subdivision are submitted to Planning and Zoning.

The site was also the subject of a Use Variance application to the Board of Zoning Adjustment, to allow an event center in an R-1, Single-Family Residential District, which was before the Board at its February 1, 2021 meeting, and was withdrawn by the applicant.

The applicant proposes to create two legal lots of record from one existing legal lot of record. The lot sizes are depicted in both square feet and acres on the plat, and exceed the minimum lot size requirements of Section V.D.2. of the Subdivision Regulations. If approved, the lot sizes in both square feet and acres should be retained on the Final Plat, or a table should be furnished on the Final Plat providing the same information.

The site has frontage along North University Boulevard, a component of the Major Street Plan, with a planned and current 100-foot right-of-way width along the subject site frontage. Therefore, no dedication would be required. The right-of-way width of North University Boulevard should be retained on the Final Plat. As on the preliminary plat, the 25-foot minimum building setback line along North University Boulevard should be retained on the Final Plat, if approved.

The preliminary plat indicates a 20-foot sanitary sewer easement meandering within the Eastern portion of proposed Lot 1. Therefore, if approved, a note should be required on the Final Plat stating that no structures shall be constructed or placed within any easement without permission of the easement holder. The plat also indicates a 60-foot Gulf South Pipeline Company right-of-way adjacent to the East side of the site. If approved, a note should be required on the Final Plat stating that access to this right-of-way is denied.

As per the Traffic Engineering comments, the driveway number, size, location, and design are to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. A note should be required on the Final Plat stating these comments, if approved.

As stated in Section 64-9. of the Zoning Ordinance, the intent of the Ordinance and corresponding Zoning Map is to carry out the comprehensive planning objective of sound, stable and desirable development. While changes to the Ordinance are anticipated as the city grows, the established public policy is to amend the ordinance only when one or more of the following conditions prevail: 1) there is a manifest error in the Ordinance; 2) changing conditions in a particular area make a change in the Ordinance necessary and desirable; 3) there is a need to increase the number of sites available to business or industry; or 4) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

The site is bounded to the East, South and West across North University Boulevard by R-1, Single-Family Residential District zoning. Adjacent to the North is B-1, Buffer Business District.

The applicant states the following to address the rationale for the zoning request:

"The Locale" will be an event center that hosts functions such as corporate events, weddings, parties, etc. The construction will include a building, associated parking, driveway access from N University Blvd, and any required stormwater detention facilities. Appropriate buffers will be provided adjacent to residential zoned properties. Construction will start once zoning platting and permitting are complete, in approximately three to four months. Construction duration is estimated to be six months.

Section 64-9.A.2.a. of the Zoning Ordinance states that new B-2 districts should contain a minimum of two (2) acres, and the subject site exceeds the minimum size recommendations for the creation of a new B-2 district. The proposed use as an event center is allowed by right in a B-2 district.

It should be noted that the adjacent property to the North was rezoned from R-1 to B-1, Buffer Business, in 2020, for a proposed church and church school, along with Planning Approval to allow such in B-1.

The applicant is proposing to construct an event center on Lot 2, consisting of approximately 15 acres of the associated subdivision, thus it must be rezoned to allow such. No plans are proposed at this time for Lot 1, and it will remain zoned R-1. The site plan submitted indicates the event center surrounded by a circular parking area with driveway access to North University Boulevard.

The site plan does not provide any building size or parking calculations, dumpster provision or refuse collection information, or public sidewalk within the right-of-way. If the Rezoning is approved, such information will be required on a site plan submitted for construction permitting. No landscaping or tree planting calculations are provided. Therefore, it should be noted that the site will be required to fully comply with landscape area requirements, and tree plantings should be coordinated with staff to insure proper spacing for the trees to thrive. As the site plan appears to provide more than 25 parking spaces, it should be noted that a compliant photometric site plan will be required at the time of permitting. The site plan shows a separate "future office" to be located on the site. The applicant should be made aware that at such time as the "future office" is to be constructed, an Administrative Planned Unit Development will be required.

RECOMMENDATION

Subdivision: Based upon the preceding, the application is recommended for Tentative Approval, subject to the following:

- 1) submittal to Planning and Zoning of five (5) copies of the recorded Final Plat for The Local Subdivision prior to signing the Final Plat;
- 2) retention of the lot sizes in both square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 3) retention of the right-of-way width of North University Boulevard on the Final Plat;

- 4) retention of the 25-foot minimum building setback line along North University Boulevard;
- 5) placement of a note on the Final Plat stating that no structures shall be constructed or placed within any easement without permission of the easement holder;
- 6) placement of a note on the Final Plat stating that access to the Gulf South Pipeline Company right-of-way adjacent to the East side of the site is denied;
- 7) compliance with Engineering comments: (FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer):
A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
B. Add a graphic scale. C. National Wetlands Inventory (NWI) mapping, as shown on City of Mobile GIS information, indicates that there is potential for wetlands within the property or properties shown on this plat. Show and label the delineated wetlands, or provide a note stating that the wetlands shown on this plat are scaled from the NWI data and have not been delineated. D. Check and revise PLAT NOTES #15 and #17 as they seem to be duplicates of PLAT NOTES #10 and #11. E. Revise PLAT NOTE #15 to read "As shown on the 1984 aerial photo (FLIGHT 21 - #67) LOTS 1 & 2 will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1 – NONE and LOT 2 – NONE." F. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing. G. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633. H. Provide a copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Engineering Dept. for review. No signatures are required on the drawing. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet. I. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet.);
- 8) placement of a note on the Final Plat stating Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);
- 9) compliance with the Urban Forestry comments: (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.); and

- 10) compliance with the Fire Department comments: *All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.*

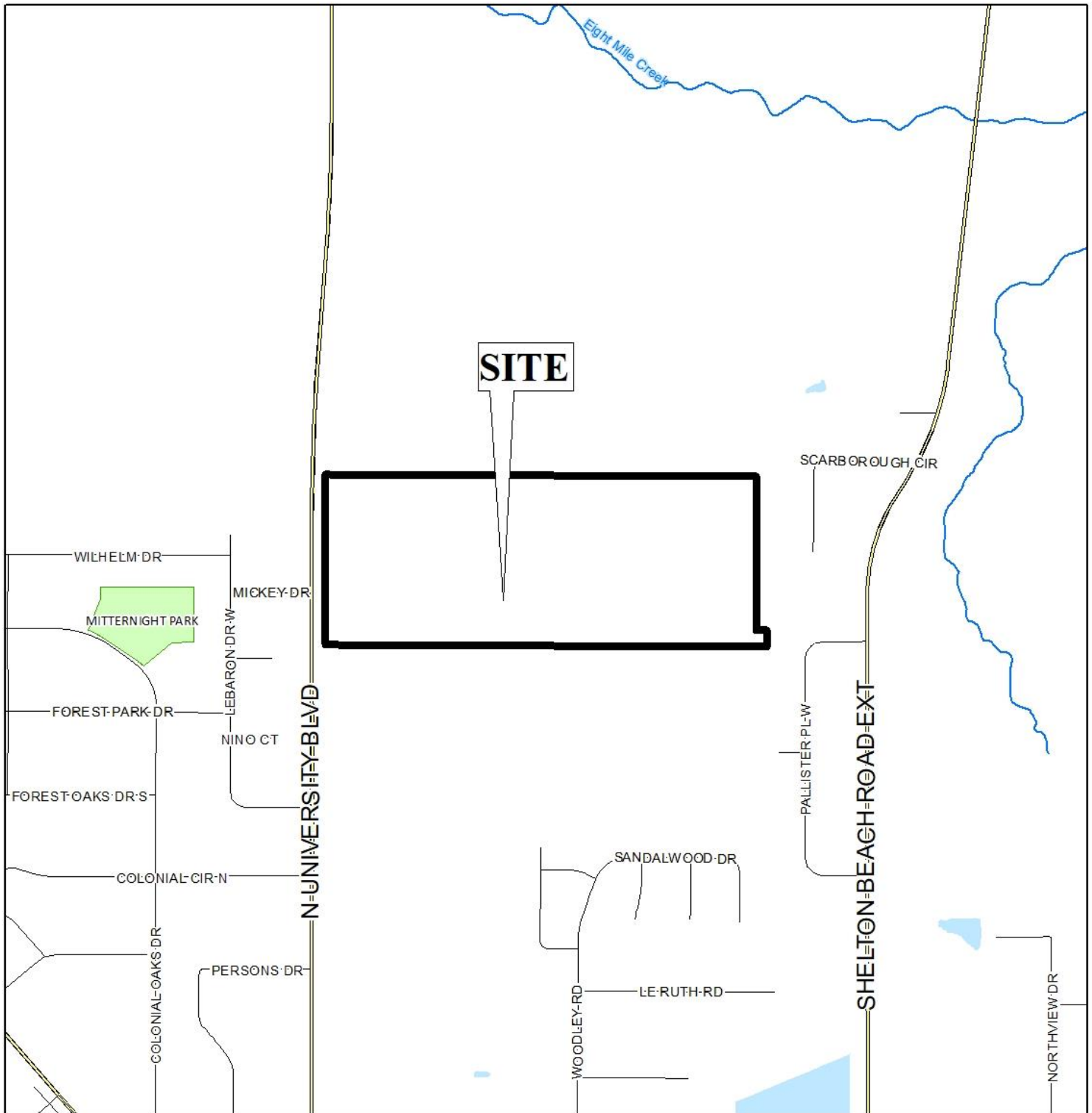
Rezoning: Based on the preceding, this application is recommended for Approval for the following reasons:

- 1) there is a need to increase the number of sites available to business or industry; and
- 2) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

The rezoning should be subject to the following conditions:

- 1) completion of the Subdivision process; and
- 2) full compliance with all municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 10 DATE March 17, 2022

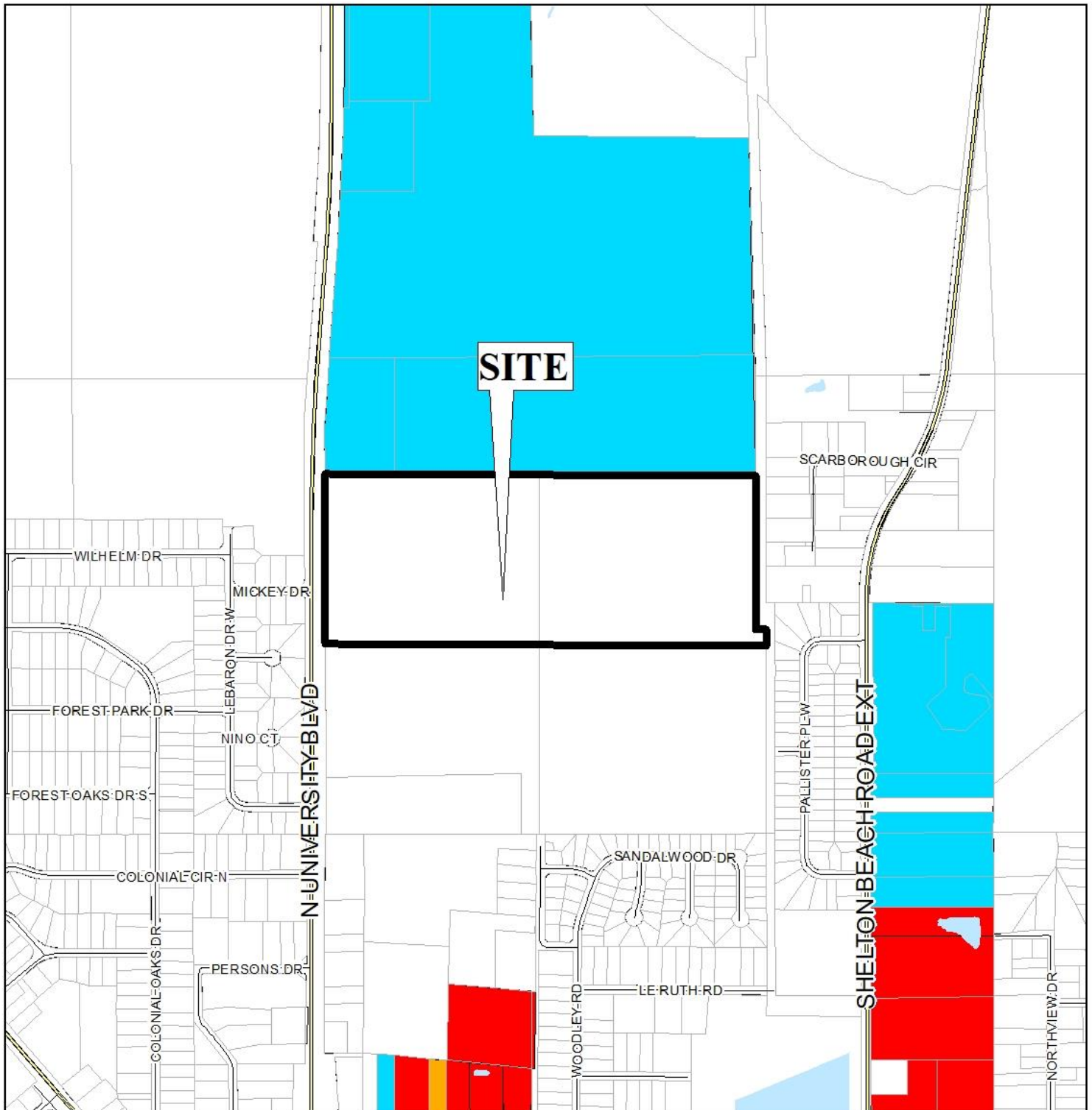
APPLICANT The Locale Subdivision, Phase Two

REQUEST Subdivision, Rezoning from R-1 to B-2 and R-1



NTS

LOCATOR ZONING MAP



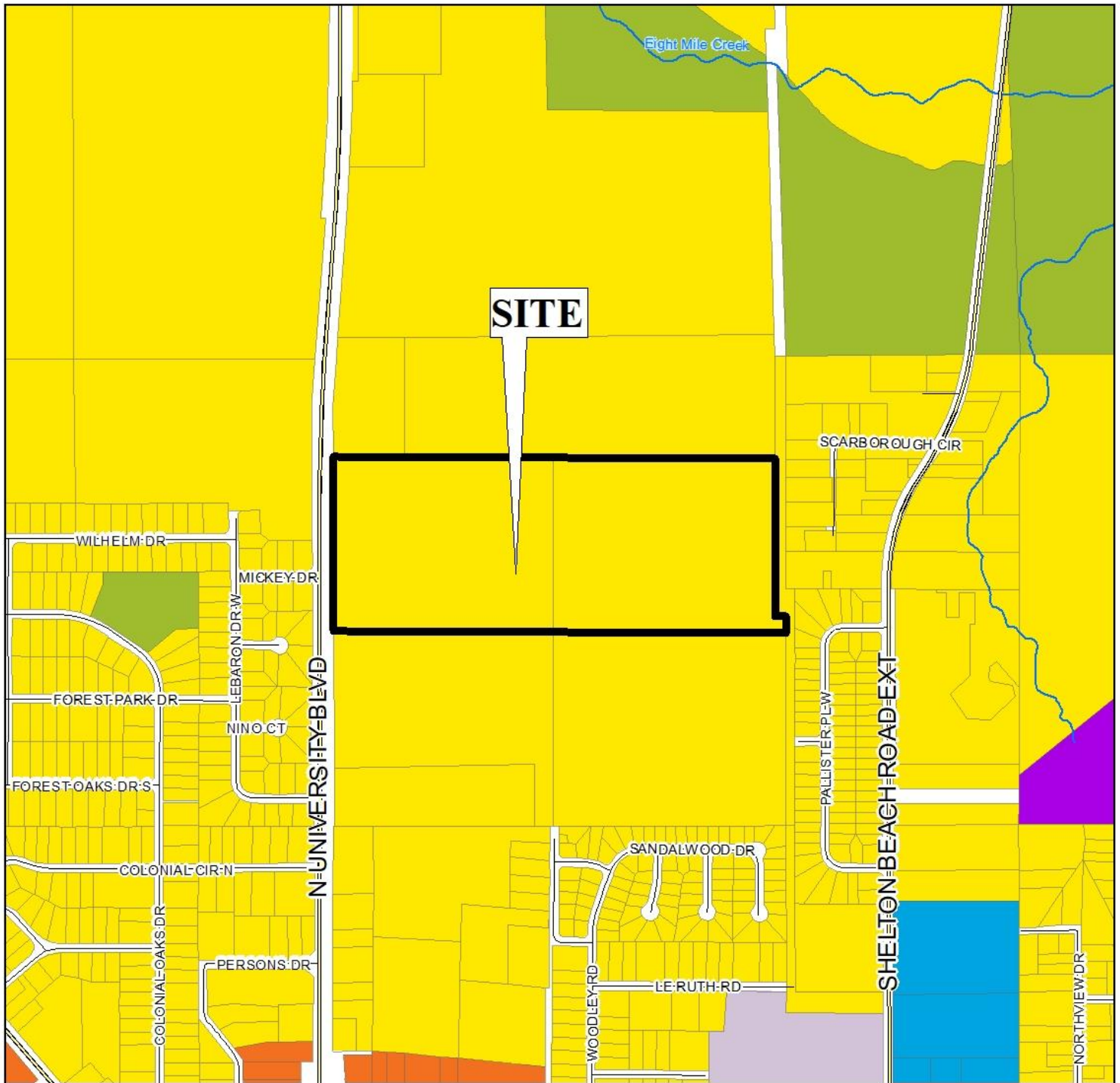
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REQUEST Subdivision, Rezoning from R-1 to B-2 and R-1



FLUM LOCATOR MAP



APPLICATION NUMBER 10 DATE March 17, 2022

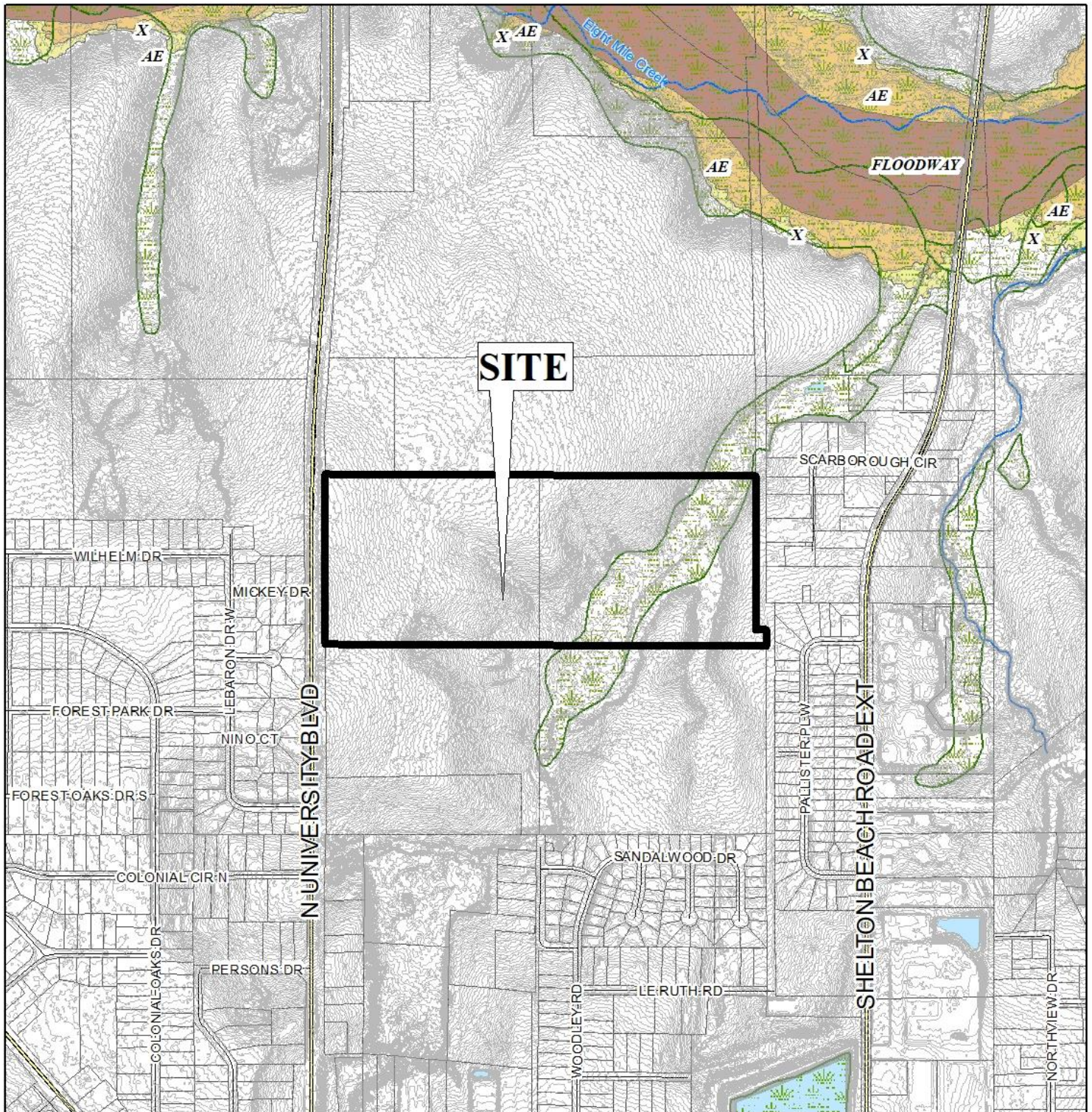
APPLICANT The Locale Subdivision, Phase Two

REQUEST Subdivision, Rezoning from R-1 to B-2 and R-1

Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed Commercial Corridor	Institutional	



ENVIRONMENTAL LOCATOR MAP



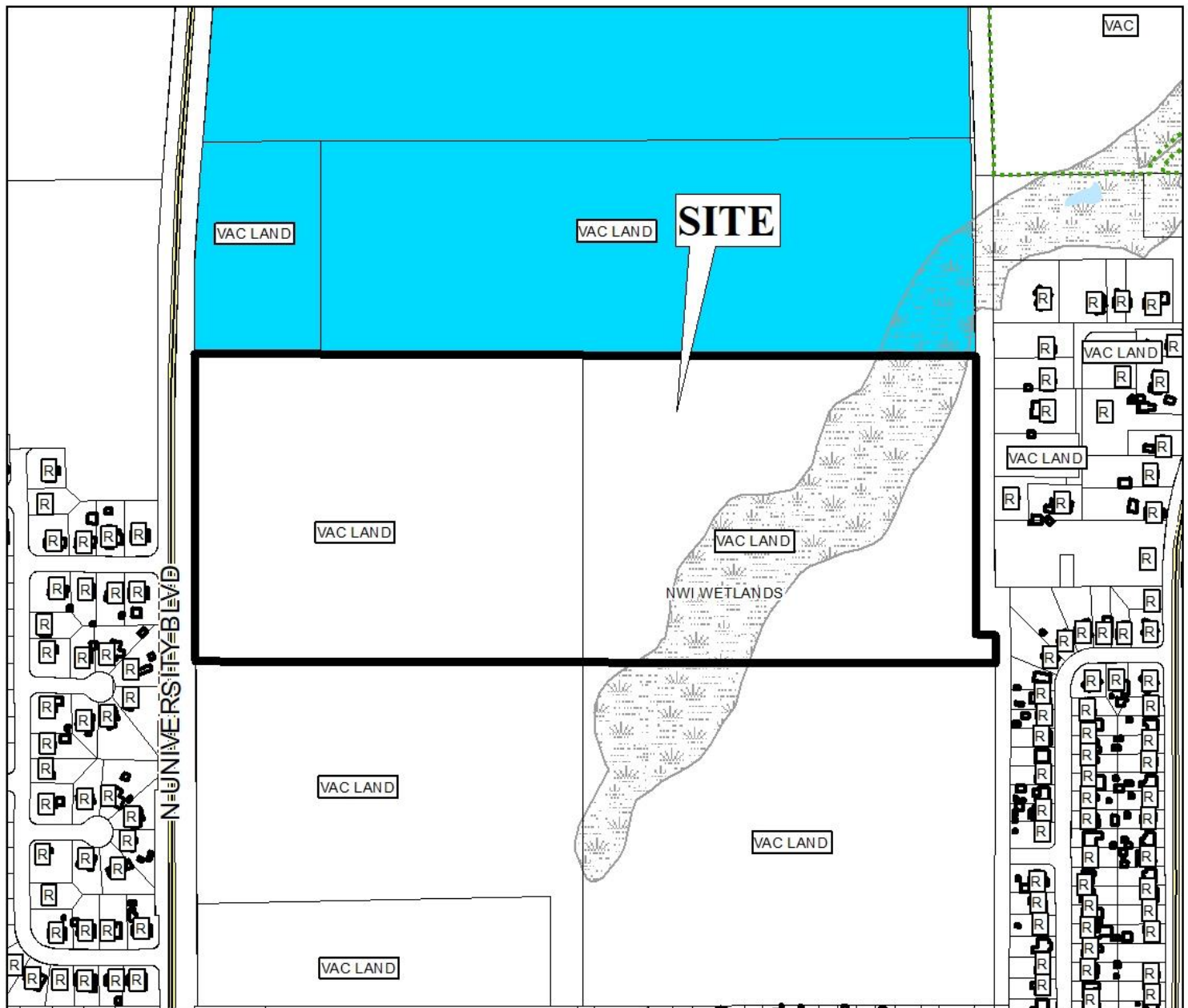
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units.

APPLICATION NUMBER 10 DATE March 17, 2022

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REQUEST Subdivision, Rezoning from R-1 to B-2 and R-1

R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL

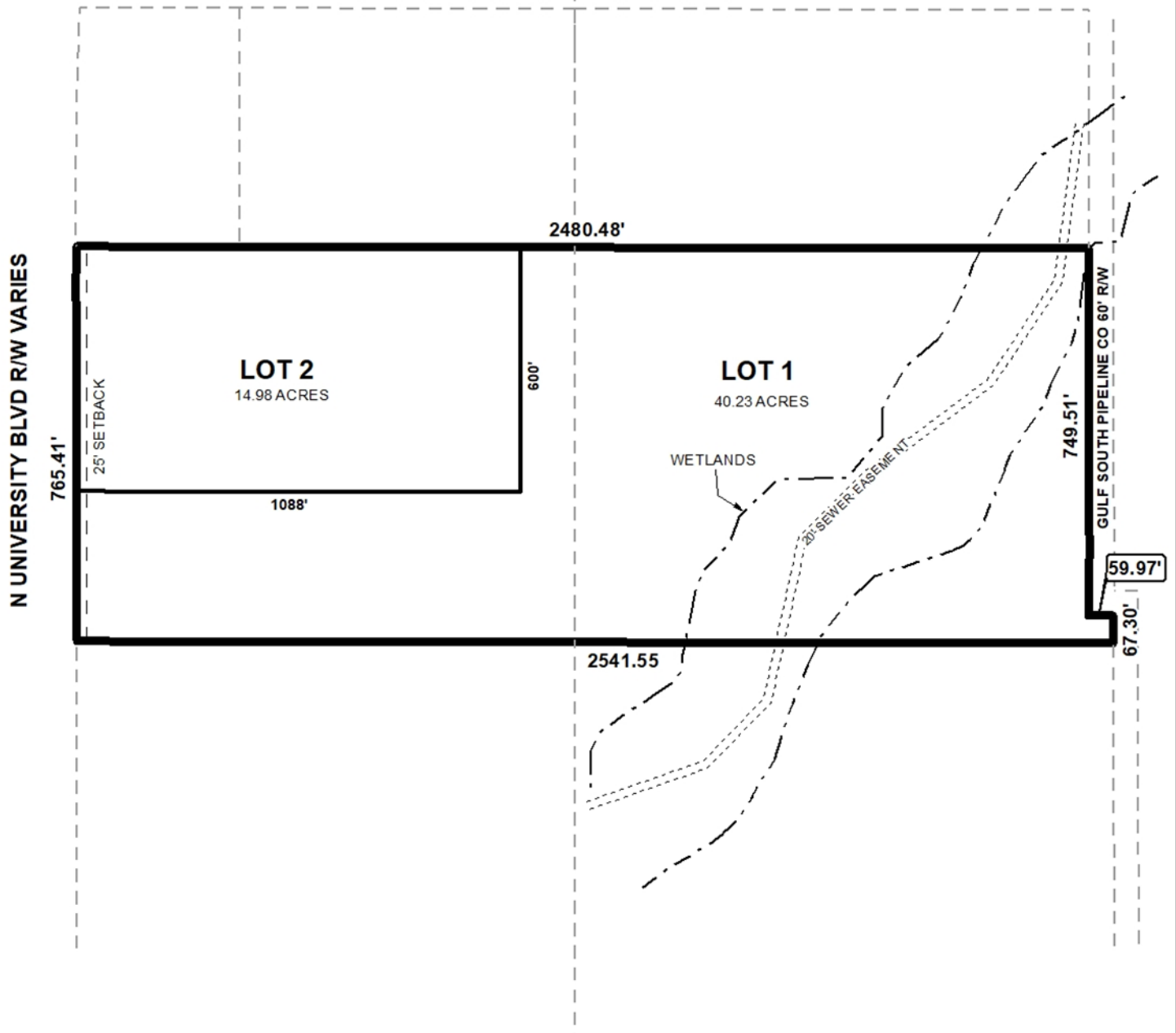


The site is surrounded by single family residential units.

APPLICATION NUMBER 10 DATE March 17, 2022
 APPLICANT The Locale Subdivision, Phase Two
 REQUEST Subdivision, Rezoning from R-1 to B-2 and R-1



DETAIL SITE PLAN



APPLICATION NUMBER 10 DATE March 17, 2022

APPLICANT The Locale Subdivision, Phase Two

REQUEST Subdivision, Rezoning from R-1 to B-2 and R-1



NTS

DETAIL SITE PLAN

N UNIVERSITY BLVD R/W VARIES

EXIST ZONING :R-1
PROP ZONING: B-2

EXIST ZONING :R-1
PROP ZONING: R-1

GULF SOUTH PIPELINE CO 60' R/W

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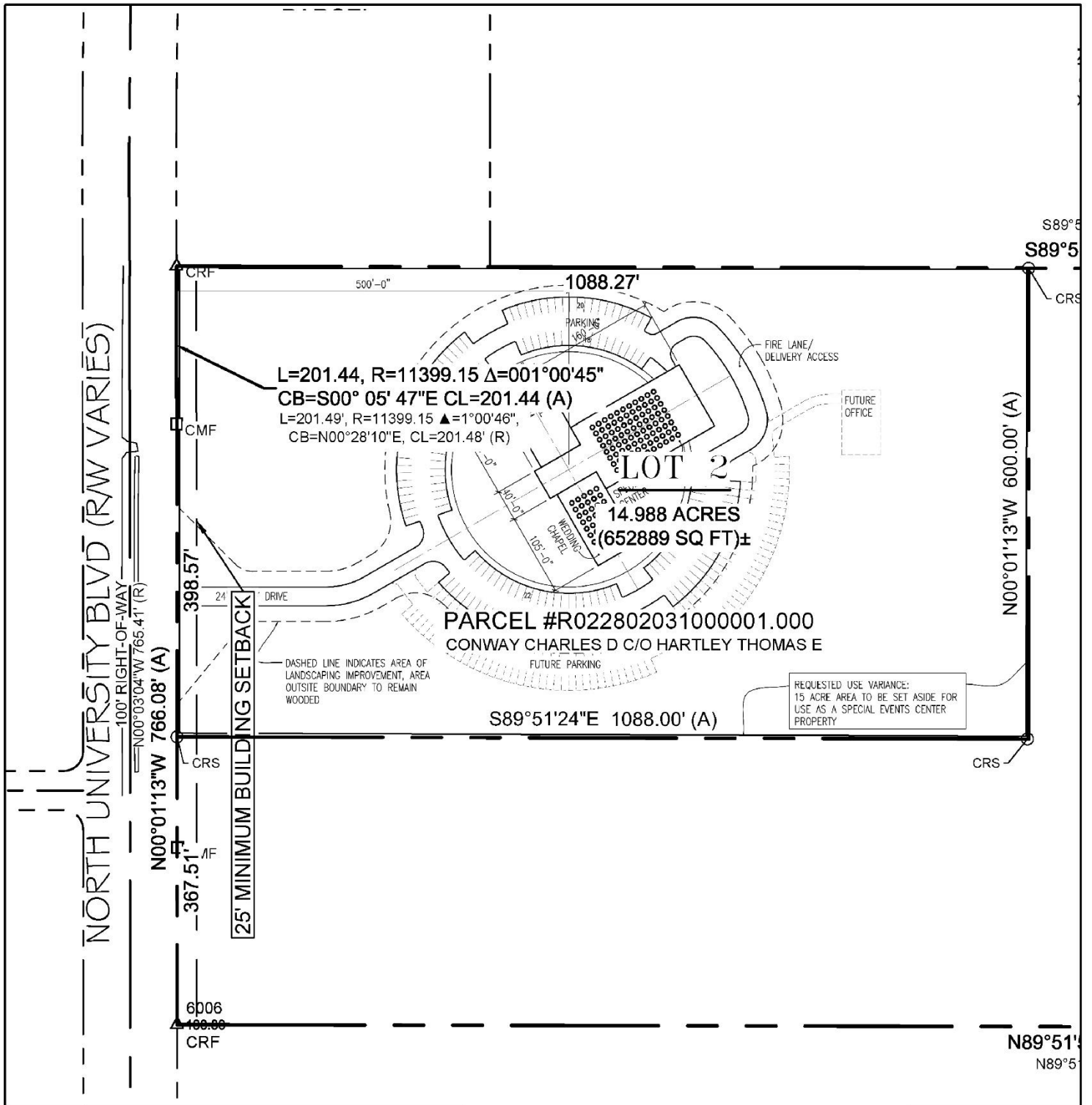
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REQUEST Subdivision, Rezoning from R-1 to B-2 and R-1



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DETAIL SITE PLAN



APPLICATION NUMBER 10 DATE March 17, 2022

APPLICANT The Locale Subdivision, Phase Two

REQUEST Subdivision, Rezoning from R-1 to B-2 and R-1



NTS